
Health Services and Development Agency Communique

**A MONTHLY PUBLICATION OF THE
HEALTH SERVICES AND DEVELOPMENT AGENCY**

**Andrew Jackson Building
500 Deaderick Street, Ninth Floor
Nashville, TN 37243
615.741.2364**

**OCTOBER
2013**

**For Meeting verification/change or agenda information, please call
the Agency Office or check our website at www.tn.gov/hsda**

HEALTH SERVICES & DEVELOPMENT AGENCY

**Chair..... D. Lynn Johnson
Vice-ChairJames Wright
Executive Director Melanie Hill
General Counsel James B. Christoffersen**

**Tennessee Department of Health
Division of Policy, Planning and Assessment
Health Statistics --- 615.741.1954**

**Tennessee Department of Mental Health and Substance Abuse Services
Office of General Counsel --- 615.532.6520
Main Office --- 615.532.6500**

**Tennessee Department of Intellectual and Development Disabilities
Office of General Counsel --- 615.253.8731
Main Office --- 615.532.6500 or 800.535.9725**

CALENDAR

The Health Services and Development Agency will be closed in 2013 on the following days:

Tuesday, January 1 – New Year's Day
 Monday, January 21 – Martin Luther King Day
 Monday, February 18 – President's Day
 Friday, March 29 – Good Friday
 Monday, May 27 – Memorial Day
 Thursday, July 4 – Independence Day
 Monday, September 2 – Labor Day

Monday, November 11 – Veteran's Day
 Thursday, November 28 – Thanksgiving Day
 * Friday, November 29 – *substituted for Columbus Day*
 Tuesday, December 24 – Christmas Eve
 Wednesday, December 25 – Christmas Day
 Tuesday, December 31 – New Year's Eve

* Monday, October 14 – Columbus Day "*substituted for the day after Thanksgiving at the Governor's discretion.*"

2013 REVIEW CYCLE				
2013 Cycle	Publication Dates-Letter of Intent	Application	HSDA Meeting Dates	* End of Appeal Period
January 2013	12/01/12-12/10/12	5 days after Publication	03/27/13	04/11/13
February 2013	01/01/13-01/10/13	"	04/24/13	05/09/13
March 2013	02/01/13-02/10/13	"	05/22/13	06/06/13
April 2013	03/01/13-03/10/13	"	06/26/13	07/11/13
May 2013	04/01/12-04/10/13	"	07/24/13	08/08/13
June 2013	05/01/12-05/10/13	"	08/28/13	09/05/13
July 2013	06/01/12-06/10/13	"	09/25/13	10/10/13
August 2013	07/01/12-07/10/13	"	10/23/13	11/07/13
September 2013	08/01/12-08/10/13	"	11/20/13	12/05/13
October 2013	09/01/12-09/10/13	"	12/18/13	01/02/14
November 2013	10/01/12-10/10/13	"	01/22/14	02/06/14
December 2013	11/01/12-11/10/13	"	02/26/14	03/13/14
2014 REVIEW CYCLE*				
2014 Cycle	Publication Dates-Letter of Intent	Application	HSDA Meeting Dates	* End of Appeal Period
January 2014	12/01/13-12/10/13	5 days after Publication	03/26/14	04/10/14
February 2014	01/01/14-01/10/14	"	04/23/14	05/08/14
March 2014	02/01/14-02/10/14	"	05/28/13	06/12/14
* The complete 2014 Review Cycle will be posted in the December 2013 Communique				

In the event that the last appropriate filing date falls on a Saturday, Sunday, or legal holiday, such filing should occur on the *preceding* business day.

* Appeal deadline is 15 days after meeting date

STATE OF TENNESSEE POLICY OF NON-DISCRIMINATION

PURSUANT TO THE STATE OF TENNESSEE'S POLICY OF NON-DISCRIMINATION, THE HEALTH SERVICES AND DEVELOPMENT AGENCY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, RELIGION, COLOR, NATIONAL OR ETHNIC ORIGIN, AGE, DISABILITY OR MILITARY SERVICE IN ITS POLICIES OR IN THE ADMISSION OR ACCESS TO, OR TREATMENT OR EMPLOYMENT IN, ITS PROGRAMS, SERVICES OR ACTIVITIES.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY EEO/AA COORDINATOR OR OFFICER, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, NINTH FLOOR, 500 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364. ADA INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY'S ADA COORDINATOR: JAMES CHRISTOFFERSEN, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, NINTH FLOOR, 500 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364.

HEALTH SERVICES AND DEVELOPMENT

AGENCY

MEETINGS

**THSDA Meetings are scheduled to be held at
8:30 a.m. CDT/CST
at the following locations:**

October – December

Legislative Plaza
Room 12
Sixth Avenue North & Union Street
Nashville, TN

January – June

AT&T Tower
Main Auditorium
333 Commerce Street
Nashville, TN

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- * Meeting locations are subject to change
- ** All meetings of the Health Services and Development Agency are posted on the Agency's website at www.tn.gov/hsda

EXECUTIVE DIRECTOR'S ANNOUNCEMENTS:

PLEASE NOTE:

In order that the Agency members may have sufficient time to review the meeting packet, please submit all support, rebuttal and comments for matters on the Agency's agenda no later than noon (Central Time) on the thirteenth day before the meeting at which that matter will be Heard. The parties are encouraged to provide 15 copies. In accordance with T.C.A., Section 68-11-1609(g)(1), any health care institution wishing to oppose a Certificate of Need application must file a written objection with the Agency and serve a copy on the applicant no later than fifteen days before the agency meeting at which time the application is originally scheduled.



RESULTS OF APPLICATIONS HEARD AT THE SEPTEMBER MEETING

Community Hospices of America-Tennessee, LLC
d/b/a Hospice Compassus-The Highland Rim
1805 N. Jackson St., Suites 5 & 6
Tullahoma (Coffee County), TN 37388
CN1306-020
Contact Person: Kim Harvey Looney, Esq.
Phone: 615-850-8722

DENIED

The expansion of the existing twelve (12) county service area by adding the following five (5) counties: Decatur, Hardin, Humphreys, Perry, and Wayne Counties. Hospice Compassus currently serves Bedford, Cannon, Coffee, Franklin, Giles, Grundy, Hickman, Lawrence, Lewis, Marshall, Maury, and Moore Counties. The estimated project cost is \$63,000.

CSPM Surgery Center
7446 Shallowford Road, Suite 102
Chattanooga (Hamilton County), TN 37421
CN1306-021
Contact Person: Douglas S. Griswold, Esq.
Phone: 423-757-0262

DEFERRED TO OCTOBER

The establishment of a one (1) operating room single specialty ambulatory surgical treatment center (ASTC) limited to interventional pain management procedure for the patients of Center for Spine and Pain Medicine, P.C. (CSPM). The estimated project cost is \$683,350.

The Health Center of Hermitage
Unaddressed site at Bell Road south of
Woodland Point Drive and north of Couchville Pike
Nashville (Davidson County), TN 37201
CN1306-022
Contact Person: Bruce K. Duncan, Assistant
Vice President
Phone: 615-890-2020

DEFERRED TO OCTOBER

The establishment of a nursing home by relocating 60 of the 150 nursing home beds from the approved but unimplemented certificate of need for the Health Center of Nashville, CN1107-024A, pursuant to T.C.A. § 68-11-1631 which permits the qualified partial relocation of nursing home beds and the addition of 30* new Medicare-certified skilled nursing home beds for a total 90 Medicare-certified skilled bed nursing home. The estimated project cost is \$20,142,000.

* These beds are subject to the 2012-2013 Nursing Home Bed Pool.

GENERAL COUNSEL'S REPORT

Stones River Hospital
324 Doolittle Road
Woodbury (Cannon County), TN
CN0012-122AE
Contact Person: Kim Harvey Looney, Esq.
Phone: 615-850-8722

WITHDRAWN

Request for removal of condition that the beds be limited to the provision of geropsychiatric services and allow them to be used for adults.

The Health Center of Nashville
Unaddressed site at Southeast quadrant of
Highway 100 and Pasquo Road
Nashville (Davidson County), TN
CN1107-024A
Contact Person: Dan H. Elrod, Esq.
Phone: 615-651-6702

DEFERRED TO OCTOBER

Request for an eighteen (18) month extension of the expiration date from November 1, 2014 to May 1, 2016 and the following project modifications pursuant to the approval of CN1306-022 which will relocate 60 of the 150 beds authorized by CN1107-024A:

- Reduction of 60 beds from the 150 approved beds to 90 private beds;
- Decrease in project cost by \$2,381,950 from \$23,894,100 to \$21,512,150;
- Other changes related to the footprint of the facility including (a) reduction in overall square footage by 8,592 SF from 86,000 SF to 77,408 SF; (b) increase in therapy gym space by 2,500 SF from 2,300 SF to 4,800 SF; (c) the addition of 3,400 SF of shelved space for potential future growth. CN1306-022 is pending to relocate 60 of the 150 beds authorized by CN1107-024A with an estimated project cost of \$23,894,100.

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RESULTS OF APPLICATIONS HEARD AT THE SEPTEMBER MEETING

Shelby County Health Care Corporation d/b/a
Regional Medical Center
877 Jefferson Avenue
Memphis (Shelby County), TN
CN1208-037A
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

APPROVED

Request for modification by adding a 2nd operating room (OR) in the burn unit and building out a 4th OR that was originally planned to be shelled in until needed. If approved, The MED will temporarily relocate the burn unit OR into the new 4th OR on the 1st floor of Turner Tower.

Memphis Long Term Care Specialty Hospital
877 Jefferson Avenue
Memphis (Shelby County), TN
CN1210-052A
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

APPROVED

Request for the removal of the condition that it shall be limited to 24 beds, and that it shall not be permitted to add to the number of beds without applying for a new CON. As a hospital with less than 100 beds, this would enable it to add up to 10 beds every twelve months without seeking a CON for the addition of beds.

APPLICATIONS TO BE HEARD AT THE OCTOBER MEETING

CSPM Surgery Center
7446 Shallowford Road, Suite 102
Chattanooga (Hamilton County), TN 37421
CN1306-021
Contact Person: Douglas S. Griswold, Esq.
Phone: 423-757-0262

DEFERRED FROM SEPTEMBER

The establishment of a one (1) operating room single specialty ambulatory surgical treatment center (ASTC) limited to interventional pain management procedure for the patients of Center for Spine and Pain Medicine, P.C. (CSPM). The estimated project cost is \$683,350.

The Health Center of Hermitage
Unaddressed site at Bell Road south of
Woodland Point Drive and north of Couchville Pike
Nashville (Davidson County), TN 37201
CN1306-022
Contact Person: Bruce K. Duncan, Assistant
Vice President
Phone: 615-890-2020

DEFERRED FROM SEPTEMBER

The establishment of a nursing home by relocating 60 of the 150 nursing home beds from the approved but unimplemented certificate of need for the Health Center of Nashville, CN1107-024A, pursuant to T.C.A. § 68-11-1631 which permits the qualified partial relocation of nursing home beds and the addition of 30* new Medicare-certified skilled nursing home beds for a total 90 Medicare-certified skilled bed nursing home. The estimated project cost is \$20,142,000.

* These beds are subject to the 2012-2013 Nursing Home Bed Pool.

Community Hospices of America-Tennessee, LLC
d/b/a Hospice Compassus-The Highland Rim
1805 N. Jackson St., Suites 5 & 6
Tullahoma (Coffee County), TN 37388
CN1307-023
Contact Person: Kim H. Looney, Esq.
Phone: 615-850-8722

DEFERRED TO DECEMBER

The addition of Lincoln County to the service area of Hospice Compassus which is currently licensed in Bedford, Cannon, Coffee, Franklin, Giles, Grundy, Hickman, Lawrence, Lewis, Marshall, Maury, and Moore counties. The estimated project cost is \$28,000.00.

Shannondale Rehabilitation Center
7510 & 7522 Middlebrook Pike
Knoxville (Knox County), TN 37909
CN1307-024
Contact Person: William R. Thomas, Jr.,
President/CEO
Phone: 865-690-3411

The establishment of a new thirty (30)* bed Medicare skilled nursing home to be known as Shannondale Rehabilitation Center. The facility will be located on the campus of Shannondale Continuing Care Retirement Community at 7510 and 7522 Middlebrook Pike, Knoxville (Knox County), TN. The estimated project cost is \$6,609,488.00.

* These beds are subject to the 2013-2014 Nursing Home Bed Pool.

NHC/Maury Regional Transitional Care Center
5004 Trotwood Avenue
Columbia (Maury County), TN 38401
CN1307-025
Contact Person: Bruce K. Duncan, Assistant
Vice President
Phone: 615-890-2020

The establishment of a 112-bed* Medicare skilled nursing home to be known as NHC/Maury Regional Transitional Care Center pursuant to T.C.A. § 68-11-1627 which permits the replacement of one or more currently licensed nursing homes with one single nursing home. The new facility will be created by relocating and replacing the 92-bed NHC Healthcare, Hillview and the 20-bed Maury Regional Hospital Skilled Nursing Unit to an 11 acre site at 5004 Trotwood Avenue, Columbia (Maury County), TN. The estimated project cost is \$18,161,672.00.

* These beds are not subject to the 2013-2014 Nursing Home Bed Pool.

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APPLICATIONS TO BE HEARD AT THE OCTOBER MEETING

Maury Regional Hospital d/b/a Maury Regional Medical Center
808 South James Campbell Boulevard
Columbia (Maury County), TN 38401
CN1307-026
Contact Person: David Thomas, Director,
Cancer Center
Phone: 931-380-4057

The relocation of two (2) linear accelerators and a mobile positron emission tomography (PET) scanner from the main Maury Regional Medical Center campus at 1224 Trotwood Avenue, Columbia (Maury County), TN to Maury Regional Cancer Center located at 808 South James Campbell Blvd, Columbia (Maury County), TN. As part of the project, MRMC will replace one of its linear accelerators. The estimated project cost is \$7,742,231.00.

Chattanooga-Hamilton County Hospital Authority
d/b/a Erlanger Medical Center
975 East 3rd Street
Chattanooga (Hamilton County), TN 37403
CN1307-027
Contact Person: Joseph M. Winick, Sr. Vice President
Phone: 423-778-7274

The initiation of positron emission tomography (PET) services and the acquisition of a PET/CT Scanner. The estimated project cost is \$4,307,699.00.

Seton Corporation d/b/a Saint Thomas Midtown Hospital f/k/a Baptist Hospital
2000 Church Street
Nashville (Davidson County), TN 37236
CN1307-028
Contact Person: Barbara Houchin, Executive Director,
Planning
Phone: 615-284-6849

The modification of the hospital by replacing and relocating four (4) operating rooms. The estimated project cost is \$11,499,496.00.

DEFERRED TO DECEMBER

Baptist Plaza Surgicare
Unaddressed site at the northeast corner of Church Street and 20th Avenue North
Nashville (Davidson County), TN 37203
CN1307-029
Contact Person: Corey Ridgway, Market President
Phone: 615-376-7300

The relocation and replacement of the existing ASTC from 2011 Church Street, Medical Plaza I Lower Level, Nashville (Davidson County), TN 37203 to the northeast corner of the intersection of Church Street and 20th Avenue North, Nashville (Davidson County), TN 37203. The facility will be constructed in approximately 28,500 SF of rentable space in a new medical office building and will contain nine (9) operating rooms and one (1) procedure room. The estimated project cost is \$29,836,377.00.

GENERAL COUNSEL'S REPORT

The Health Center of Nashville
Unaddressed site at Southeast quadrant of Highway 100 and Pasquo Road
Nashville (Davidson County), TN 37221
CN1107-024A
Contact Person: Dan H. Elrod, Esq.
Phone: 615-651-6702

DEFERRED FROM SEPTEMBER

Request for an eighteen (18) month extension of the expiration date from November 1, 2014 to May 1, 2016 and the following project modifications pursuant to the approval of CN1306-022 which will relocate 60 of the 150 beds authorized by CN1107-024A:

- Reduction of 60 beds from the 150 approved beds to 90 private beds;
- Decrease in project cost by \$2,381,950 from \$23,894,100 to \$21,512,150;
- Other changes related to the footprint of the facility including (a) reduction in overall square footage by 8,592 SF from 86,000 SF to 77,408 SF; (b) increase in therapy gym space by 2,500 SF from 2,300 SF to 4,800 SF; (c) the addition of 3,400 SF of shelved space for potential future growth. CN1306-022 is pending to relocate 60 of the 150 beds authorized by CN1107-024A with an estimated project cost of \$23,894,100.

APPLICATIONS TO BE HEARD AT THE OCTOBER MEETING

Parkridge Valley Adult Services
7351 Standifer Gap Road
Chattanooga (Hamilton County), TN 37421
CN1202-007A
Contact Person: Jerry W. Taylor, Esq.
Phone: 615-782-2200

Request for a \$2,134,476 project cost increase from \$6,762,605 to \$8,889,399.

Christian Care Center of Memphis f/k/a
Americare Health and Rehabilitation Center
Corner of Kirby Pkwy. and Kirby Gate Blvd.
Memphis (Shelby County), TN 38118
CN0908-045AE
Contact Person: Jerry W. Taylor, Esq.
Phone: 615-782-2200

Request for a \$1,853,976 project cost increase from \$8,639,395 to \$10,473,976 and a two (2) year extension of the expiration date from January 1, 2014 to January 1, 2016.

APPLICATIONS TO BE HEARD AT THE NOVEMBER MEETING

There were no applications deemed complete on August 31, 2013. Therefore, no applications were entered into the September review cycle for the **November 20, 2013** Health Services and Development Agency Meeting.

GENERAL COUNSEL'S REPORT

East Tennessee Radiation Therapy Services, LLC
1415 Old Wesigarber Rd., Suite 250
Knoxville, TN 37909
CN01108-030AD
Contact Person: W. Brantley Phillips, Esq.
Phone: 615-742-6200

REVIEW OF INITIAL ORDER

Request by East Tennessee Radiation Therapy Services, LLC, for the Agency to review the Administrative Law Judge's Initial Order issued on May 30, 2013, denying a certificate of need to establish an ambulatory surgical treatment center, acquire a linear accelerator, and initiate radiation therapy services in the Dowell Springs area of Knoxville, Tennessee.

APPLICATIONS TO BE HEARD AT THE DECEMBER

MEETING

Community Hospices of America-Tennessee, LLC
d/b/a Hospice Compassus-The Highland Rim
1805 N. Jackson St., Suites 5 & 6
Tullahoma (Coffee County), TN 37388
CN1307-023
Contact Person: Kim H. Looney, Esq.
Phone: 615-850-8722

DEFERRED FROM OCTOBER

The addition of Lincoln County to the service area of Hospice Compassus which is currently licensed in Bedford, Cannon, Coffee, Franklin, Giles, Grundy, Hickman, Lawrence, Lewis, Marshall, Maury, and Moore counties. The estimated project cost is \$28,000.00.

Seton Corporation d/b/a Saint Thomas Midtown
Hospital f/k/a Baptist Hospital
2000 Church Street
Nashville (Davidson County), TN 37236
CN1307-028
Contact Person: Barbara Houchin, Executive Director,
Planning
Phone: 615-284-6849

DEFERRED FROM OCTOBER

The modification of the hospital by replacing and relocating four (4) operating rooms. The estimated project cost is \$11,499,496.00.

MUA of Middle Tennessee, LLC
28 White Bridge Road, #210
Nashville (Davidson County), TN 37205
CN1308-031
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

The addition of interventional pain management services to a single specialty ambulatory surgical treatment center (ASTC) with one (1) procedure room currently authorized to provide only manipulation under anesthesia (MUA) services, which are manual, not operative, surgical procedures. The estimated project cost is \$113,000.00.

Pioneer Community Hospital of Scott
18797 Alberta Street
Oneida (Scott County), TN 37841
CN1308-030
Contact Person: Eden Blackwell, Director of
Corp Compliance
Phone: 601-849-6440 (x 325)

Discontinuance of Obstetrics Services at Pioneer Community Hospital of Scott. If approved, the five (5) obstetrical beds will be converted to medical/surgical beds and the licensed acute care bed complement at the hospital will remain at twenty-five (25). The estimated project cost is \$5,000.00.

Vanderbilt University Hospitals
1211 Medical Drive
Nashville (Davidson County), TN 37232
CN1309-034
Contact Person: Ronald W. Hill, Vice President, Business
Development
Phone: 615-936-6012

The expansion and renovation to the existing third floor operating suite by four operating rooms and by providing shell space for future expansion of two additional operating rooms at 1211 Medical Center Drive, Nashville (Davidson County), TN. The estimated project cost is \$7,535,709.00.

APPEALS OF AGENCY DECISIONS

<u>FACILITY</u>	<u>DOCKET #</u>	<u>DESCRIPTION</u>	<u>MEETING DATE</u>
Baptist Memorial Hospital-Huntingdon Huntingdon, Carroll County CN1205-021A	25.00-118927J	Appeal of Approval of CON	9/26/2012
HealthSouth Rehabilitation Hospital of Williamson County Franklin, Williamson County CN1012-059A	25.00-111868J	Appeal of Approval of CON	3/23/2011
Medical Care, PLLC Elizabethton, Carter County CN1303-006D	25.00-122463J	Appeal of Denial of CON	7/24/2013
Middle Tennessee Rehabilitation Hospital, LLC Franklin, Williamson County CN1012-055D	25.00-111868J	Appeal of Denial of CON	3/23/2011
Select Specialty Hospital-Memphis Memphis, Shelby County CN11212-062A	25.00-121598J	Appeal of Approval of CON	5/22/2013
Tri-Cities Holdings LLC d/b/a Trex Treatment Center Johnson City, Washington County CN1303-005	T.B.A.	Appeal of Denial of CON	6/26/2013

Health Services and Development Agency

Members

D. Lynn Johnson
(Consumer, Speaker of the House)

Charlotte C. Burns
(Hospital)

Claudia H. Byrd
(Consumer, Speaker of the Senate)

Robert Doolittle
(Consumer, Governor)

Barrett G. Haik, M.D.
(Physician)

Thom Mills
(Home Care)

Mark Flora, M.D.
(Ambulatory Surgical Treatment Centers)

James L. Wright
(Nursing Home)

Keith Gaither, Designee
for Director of TennCare
Darin J. Gordon

Elisha Hodge, Designee
for Comptroller
Justin Wilson

Lisa Jordan, Designee
for Commerce & Insurance Commissioner
Julie Mix McPeak